



09/863,061

Sheet 1 of 7

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 1796.1001	APPLICATION NO. 09/863,061
INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)		FIRST NAMED INVENTOR David D. GOODMAN	
		FILING DATE May 22, 2001	GROUP ART UNIT 2643

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	1	2,568,342	9/18/1951	Koehler, et al.			
	2	3,406,344	12/15/1968	Hopper, et al.			
	3	3,512,160	5/12/1970	Meeker			
	4	3,529,088	9/15/1970	Hauer			
	5	3,651,471	3/21/1972	Haselwood, et al.			
	6	3,699,443	10/17/1972	Weger			
	7	3,757,225	9/4/1973	Ulicki			
	8	3,774,114	11/20/1973	Dahlgren			
	9	3,800,090	3/26/1974	Matena			
	10	3,838,444	9/24/1974	Loughlin, et al.			
	11	3,872,253	3/18/1975	Jurschak			
	12	3,873,771	3/25/1975	Kleinerman, et al.			
	13	3,894,190	7/8/1975	Gassmann			
	14	3,911,204	10/7/1975	Spinelli			
	15	3,922,490	11/25/1975	Pettis			
	16	3,922,492	11/25/1975	Lumsden			
	17	3,968,327	7/6/1976	Gregg, III			
	18	4,008,369	2/15/1977	Theurer, et al.			
	19	4,019,142	4/19/1977	Wyocff			
	20	4,025,851	5/24/1977	Haselwood, et al.			
	21	4,035,838	7/12/1977	Bassani, et al.			

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22	4,040,088	8/2/1977	Hannan			
23	4,055,729	10/25/1977	Vandling			
24	4,122,304	10/24/1978	Mallien, II			
25	4,123,710	10/31/1978	Stuart, et al.			
26	4,130,840	12/19/1978	Vandling			
27	4,163,254	7/31/1979	Block, et al.			
28	4,171,467	10/16/1979	Evenchik			
29	4,197,497	4/8/1980	Phelps			
30	4,238,849	12/9/1980	Gassmann			
31	4,306,116	12/15/1981	McClure, et al.			
32	4,332,980	6/1/1982	Reynolds, et al.			
33	4,337,376	6/29/1982	Gruenberg			
34	4,338,492	7/6/1982	Snopko			
35	4,349,701	9/14/1982	Snopko			
36	4,354,263	10/12/1982	Bordry, et al.			
37	4,356,509	10/26/1982	Skeros, et al.			
38	4,367,557	1/4/1983	Stern, et al.			
39	4,378,470	3/29/1983	Murto, et al.			
40	4,388,489	6/14/1983	Wigan, et al.			
41	4,393,277	7/12/1983	Besen, et al.			
42	4,393,508	7/12/1983	Boudault			
43	4,396,801	8/2/1983	Edson, et al.			
44	4,411,007	10/18/1983	Rodman, et al.			
45	4,418,249	11/29/1983	Birth			
46	4,425,578	1/10/1984	Hasselwood, et al.			
47	4,425,642	1/10/1984	Moses, et al.			
48	4,427,974	1/24/1984	Sheahan			
49	4,433,212	2/21/1984	Moses, et al.			

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50	4,441,180	4/3/1984	Schussler			
51	4,442,320	4/10/1984	James, et al.			
52	4,443,662	4/17/1984	Nakhla			
53	4,445,213	4/24/1984	Baugh, et al.			
54	4,446,458	5/1/1984	Cook			
55	4,449,218	5/15/1984	Strehl			
56	4,456,985	6/26/1984	Carsten, et al.			
57	4,456,986	6/26/1984	Carsten, et al.			
58	4,467,355	8/21/1984	Matsuda			
59	4,484,218	11/20/1984	Boland, et al.			
60	4,485,400	11/27/1984	Lemelson, et al.			
61	4,493,948	1/15/1985	Sues, et al.			
62	4,500,751	2/19/1985	Darland, et al.			
63	4,506,387	3/19/1985	Walter			
64	4,521,881	6/4/1985	Stapleford, et al.			
65	4,528,422	7/9/1985	Cupani			
66	4,528,423	7/9/1985	James, et al.			
67	4,561,020	12/24/1985	Matsuda			
68	4,564,940	1/14/1986	Yahata			
69	4,577,311	3/18/1986	Duquesne, et al.			
70	4,577,314	3/18/1986	Chu, et al.			
71	4,578,535	3/25/1986	Simmons			
72	4,578,540	3/25/1986	Borg, et al.			
73	4,580,291	4/1/1986	ab der Halden			
74	4,597,077	6/24/1986	Nelson, et al.			
75	4,604,741	8/5/1986	Barsellotti			
76	4,644,526	2/17/1987	Wu			
77	4,646,289	2/24/1987	Tsiakas, et al.			

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	78	4,646,296	2/24/1987	Bartholet, et al.			
	79	4,649,551	3/10/1987	Sander, et al.			
	80	4,665,516	5/12/1987	Middleton, et al.			
	81	4,672,602	6/9/1987	Hargrave, et al.			
	82	4,672,605	6/9/1987	Hustig, et al.			
	83	4,675,863	6/23/1987	Paneth, et al.			
	84	4,754,326	6/28/1988	Kram, et al.			
	85	4,764,922	8/16/1988	Dieter, et al.			
	86	4,768,206	8/30/1988	Van Gerwen			
	87	4,772,870	9/20/1988	Reyes			
	88	4,780,757	10/25/1988	Bryer, et al.			
	89	4,780,758	10/25/1988	Lin, et al.			
	90	4,789,895	12/6/1988	Mustafa, et al.			
	91	4,789,994	12/6/1988	Randall, et al.			
	92	4,817,089	3/28/1989	Paneth, et al.			
	93	4,837,799	6/6/1989	Prohs, et al.			
	94	4,839,743	6/13/1989	Best, et al.			
	95	4,885,747	12/5/1989	Foglia			
	96	4,885,766	12/5/1989	Yasuoka, et al.			
	97	4,888,795	12/19/1989	Ando, et al.			
	98	4,901,342	2/13/1990	Jones			
	99	4,907,260	3/6/1990	Prohs, et al.			
	100	4,912,705	3/27/1990	Paneth, et al.			
	101	4,932,022	6/5/1990	Keeney, et al.			
	102	4,932,047	6/5/1990	Emmons, et al.			
	103	4,945,404	7/31/1990	Miller			
	104	4,947,483	8/7/1990	Dirr			
	105	4,954,886	9/4/1990	Elberbaum			

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	106	4,969,136	11/6/1990	Chamberlin, et al.			
	107	4,975,896	12/4/1990	D'Agosto, III, et al.			
	108	4,975,906	12/4/1990	Takiyasu, et al.			
	109	4,979,028	12/18/1990	Minematsu, et al.			
	110	4,989,081	1/29/1991	Miyagawa, et al.			
	111	5,003,579	3/26/1991	Jones			
<i>OKC</i>	112	5,025,443	6/18/1991	Gupta			
<del>_____</del>	113	4,369,557	1/4/1993	Stern, et al.			
<del>_____</del>	114	4,670,870	6/2/1987	Hewinson			
<del>_____</del>	115	5,095,497	3/10/1992	Aman			
<i>OKC</i>	116	5,247,347	9/21/1993	Litteral			
<i>OKC</i>	117	5,283,637	2/1/1994	Goolcharan			
	118	5,929,896	7/27/1999	Goodman			
	119	5,949,476	9/7/1999	Goodman			
	120	6,185,284	2/6/2001	Goodman			
	121	09,078,556	05/14/1998	Brothers, John D.W.			
	122	6,430,199	8/6/2002	Kerpez			
	123	6,115,755	9/5/2000	Krishan			
	124	6,678,721	1/13/2004	Bell			
	125	6,069,899	5/30/2000	Foley			
	126	5,930,340	7/27/1999	Bell			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	TRANSLATION YES NO		ABSTRACT
<i>OKC</i>	1	WO9107018	5/16/1991	WIPO	<del>_____</del>	<del>_____</del>	
<i>OKC</i>	2	WO9912330	03/11/1999	WIPO	<del>_____</del>	<del>_____</del>	
<i>OKC</i>	3	WO9854856	12/06/1998	WIPO	<del>_____</del>	<del>_____</del>	

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)						TRANSLATION YES NO	
<del>_____</del>	1	AHAMED, S.V., et al., "A Tutorial on Two-Wire Digital Transmission in the Loop Plant," IEEE Transaction on Communications, Nov. 1981, pp. 1554-1564, Vol. COM-29, No. 11.				<del>_____</del>	<del>_____</del>

already considered

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<del>2</del>	ARTOM, A. et al., "The Possible Use Of Customer Loop For New Services During The Transition From Analogue To Digital," Revue F.I.T.C.E., Mar-Apr, 1981, Vol. 20, No. 2, p. 50-56.		
<del>3</del>	ARTOM, A. et al., "Medium-Term Prospects for New Services to the Telephone Customers," Conference Record, June 14-18, 1981, Int'l Conf. On Communications, pp. 14.4.1-14.4-6, Denver, CO.		
<del>4</del>	FUCHS, H. et al., "Providing Full Duplex Transmission Over Two-wire Subscriber Loops," Telephony, Mar. 18, 1985, pp. 76-84, Vol. 208, No. 11.		
<del>5</del>	GLICK, D. et al., "Providing Telco Customers Continuous Data Services," Telephony, Nov. 21, 1983, Vol. 205, No. 22, p. 46, 50-54.		
<i>AHC</i> 6	HOE-YOUNG NOH, "Home Automation," Korea Information Science Society Review, Apr. 1989, Vol. 7, no. 2, pp. 40-44, Republic of Korea. (TRANSLATION PROVIDED)	X	
<del>7</del>	HUGHES, J.B. et al., "A Receiver IC for a 1+1 Digital Subscriber Loop," IEEE Journal of Solid State Circuits, June 1985 (pp. 671-678), Vol. SC-20, No. 3.		
<del>8</del>	SHACHAM, Z., "Data Over Voice In Action," Communications, vol. 3, no. 12, p. 30, Dec. 1986. *		no copy
<del>9</del>	TATUM, R.A., "Project Victoria - the 7-in-1 solution," Telephone Engr. And Mgmt, Jan. 1, 1986, Vol. 90, No. 1, pp. 47-51, Jan. 1, 1996.		
<del>10</del>	"Computerized Telephone System Integrates Voice And Data Switching," Computer Design, April 1981, (6 Pages), Vol. 20, No. 4.		
<i>AHC</i> 11	CORONARO, M. et al., "Integrated Office Communication System," Electrical Communication, 1986, pp. 17-22, Vol. 60, No. 1, FACE Research Center, Pomezia, Italy.		
12	Complaint for Injunctive Relief and Damages for Infringement of United States Patent Nos. 6,243,446; 6,236,718; and 5,844,596 (4/12/02)		
13	Answer and Counterclaims of Defendants AOL Time Warner Inc. and America Online, Inc. (6/24/02)		
14	America Online Inc.'s Responses to Inline Connection Corp.'s First Set of Interrogatories (App. A, Ex. B, App. D) (2/28/03)		
15	Defendant America Online Inc.'s Responses to Plaintiff Inline Connection Corp.'s First Set of Requests for Admissions, Second Set of Interrogatories and Second Set of Requests for Production of Documents (2/28/03)		
16	America Online, Inc.'s Supplemental Responses to Inline Connection Corp.'s First Set of Interrogatories (Nos. 13, 14 and 20) (4/28/03)		
17	Second Amended Answer and Counterclaims of Defendants AOL Time Warner Inc. and America Online, Inc., (5/16/03)		
18	America Online, Inc.'s Second Supplemental Responses to Inline Connection Corp.'s First Set of Interrogatories, Ex.'s A-D (6/11/03)		
19	Joint Submission Regarding Claim Construction (Ex. 3, App. A) (7/15/03)		✓
20	Inline's Opening Markman Brief (8/4/03)		

	21	Defendants' Memorandum of Law on Claim Construction (8/4/03)		
	22	Defendant's Motion for Summary Judgment of Non-Infringement Or in the Alternative, for Summary Judgment of Invalidity for Failure to Comply with the Written Description Requirement; Defendants' Joint Opening Brief in Support of Their Motion for Summary Judgment of Non-Infringement Or in the Alternative, for Summary Judgment of Invalidity for Failure to Comply with the Written Description Requirement (8/8/03)		
	23	Inline's Responsive <i>Markman</i> Brief; Declaration of Charles L. Jackson in Support of Inline's Responsive <i>Markman</i> Brief (8/21/03)		
	24	Inline's <i>Markman</i> Presentation; Tutorial by Dr. Charles Jackson		
	25	AOL's & EarthLink's Technology Tutorial & <i>Markman</i> Presentation, (8/28/03)		
	26	In the Matter of Inline Connection Corporation v. AOL Time Warner, Incorporated (Transcript of <i>Markman</i> hearing) (8/28/03)		
	27	Letter to Judge Thyng from Frederick L. Cottrell III offering supplemental briefing and enclosing proposed claim construction (9/8/03)		
	28	Letter to Judge Thyng from Donald F. Parsons responding to 9/8/03 Cottrell letter re supplemental briefing, enclosing proposed claim construction, Waring article and decision in <i>E-Pass Technologies, Inc. v. 3Com Corp.</i> (9/12/03)		
	29	Memorandum (Judge Thyng) ( <i>Markman</i> ), (1/27/04)		
	30	Inline's Motion for Reargument And/Or Reconsideration of the Court's Construction of the Phrase "A High Frequency Band of Frequencies Above the Highest Frequency of the Telephone Voice Band" (Ex's A-C) (2/10/04)		
	31	Defendants' Response to Inline's Motion for Reargument And/Or Reconsideration of the Court's Construction of the Phrase "A High Frequency Band of Frequencies Above the Highest Frequency of The Telephone Voice Band" (3/2/04)		
	32	Defendants' Joint Revised Brief in Support of Their Motion for Summary Judgment of Non-Infringement and for Summary Judgment of Invalidity for Failure to Comply with the Written Description Requirement (3/8/04)		
	33	Inline Connection Corp's Opposition to Defendants' Revised Motion for Summary Judgment (4/6/04) Declaration of Dr. Charles L. Jackson, (4/6/04)		
	34	Inline's Opening Brief in Support of its Motion for Partial Summary Judgment of Infringement by America Online and Earthlink on the Asserted Claims of the '596, '446, and '585 Patents (Attachments 1-3) (4/19/04) Declaration by Dr. Charles L. Jackson In Support of Inline's Opening Brief In Support of its Motion for Partial Summary Judgment of Infringement by America Online and Earthlink on the Asserted Claims of the '596, '446, and '585 Patents (4/16/04)		
	35	Defendants' Reply Brief in Support of Their Revised Motion for Summary Judgment of Non-Infringement and for Summary Judgment of Invalidity for Failure to Comply with the Written Description Requirement (4/26/04)		

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	36	Defendants' Opposition to Inline's Motion for Partial Summary Judgment of Infringement (Ex.'s A, B) (5/20/04)		
	37	Inline's Reply to Defendants' Opposition to Inline's Motion for Partial Summary Judgment of Infringement by America Online and EarthLink of Asserted Claims of the ' 596, ' 446 and ' 585 Patents (6/9/04)		
	38	Memorandum Opinion (Judge Thyng) (10/14/04)		
	39	<del>Chow et al., "A Multi-Drop In-House ADSL Distribution Network", IEEE, 1994**</del>		
	40	<del>International Search Report from PGT/US00/15028. September 28, 2000**</del>		

EXAMINER <i>Wing F. Chan</i>	DATE CONSIDERED <i>8/2/05</i>
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

\* Applicants are unable to locate a copy of this reference, despite diligent efforts to do so.

\*\* Applicants are currently unable to locate a copy of this reference and will provide a copy at a later time if a copy is located.





## ATTACHMENT 1(g)

<b>LIST OF ADDITIONAL SUBMITTED DOCUMENTS</b>	ATTORNEY DOCKET NO.	APPLICATION NO.
	1796.1001	09/863,061
	FIRST NAMED INVENTOR	
	David D. GOODMAN	
	FILING DATE	GROUP ART UNIT
	May 22, 2001	2643

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application.

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application; and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	AC							
	AD							

## OTHER REFERENCES

						TRANSLATION	
						YES	NO
	1						
	2						

EXAMINER <i>Wing F. Chan</i>	DATE CONSIDERED <i>8/2/05</i>
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



## ATTACHMENT 1(b)

## LIST OF COPENDING APPLICATIONS

ATTORNEY DOCKET NO.

1796.1001

APPLICATION NO.

09/863,061

FIRST NAMED INVENTOR

David D. GOODMAN

FILING DATE

May 22, 2001

GROUP/UNIT

2643

The following copending U.S. patent applications are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR § 1.98(a)(2)(iii), a copy of the identified copending applications, or that portion of the application which caused it to be listed, is provided, UNLESS DOMESTIC PRIORITY IS CLAIMED THEREON UNDER 35 U.S.C. § 120 AND/OR THE APPLICATION IS PUBLISHED. 37 CFR § 1.98(a)(2)(II),(III) AND 1.98(3)(d)(1).

It is requested that the Examiner acknowledge his consideration of application(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application; and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

## U.S. PATENT APPLICATION DOCUMENTS

*EXAMINER INITIAL		U.S. SERIAL NO.	FILING DATE	NAME	ASSIGNEE
	1	10,970,659	10/22/2004	Goodman, David D.	Inline Connection Corp.
	2	10,970,721	10/22/2004	Goodman, David D.	Inline Connection Corp.
	3	10,970,734	10/22/2004	Goodman, David D.	Inline Connection Corp.
	4	11,071,362	03/04/2005	Goodman, David D.	Inline Connection Corp.
	5	10,401,785	03/31/2003	Goodman, David D.	Inline Connection Corp.
	6	10,383,684	03/10/2003	Goodman, David D.	Inline Connection Corp.
	7				
	8				

EXAMINER

Wing F. Chan

DATE CONSIDERED

8/2/05

\*EXAMINER: Initial if document considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**ATTACHMENT 1(h)**

<b>IDENTIFICATION OF LITIGATION REGARDING RELATED PATENTS</b>	ATTORNEY DOCKET NO.	APPLICATION NO.
	1796.1001	09/863,061
	FIRST NAMED INVENTOR	
	David D. GOODMAN	
	FILING DATE	GROUP ART UNIT
	May 22, 2001	2643

The subject application is related to the following patents.

*JAC* 5,844,596  
*JAC* 6,236,718  
*JAC* 6,243,446  
*JAC* 6,542,585

The above related patents are involved in litigation in the United States District Court for the District of Delaware as follows:

- (1) Inline Connection Corporation v. AOL Time Warner Incorporated and
- (2) Inline Corporation v. Earthlink, Inc. (Docket Nos. CIV. A-02-272-MPT, CIV. A-02-477-MPT)

The above related patents are also involved in litigation in the United States District Court for the Eastern District of Virginia as Inline Connection Corporation v. Verizon Internet Services, Inc., et al. (Docket No. Civ. A. 2:05CV205).

*Wing F. Chan* 8/2/05